

## Information and Agreement to Write a Release for you.

Print Legibly Please! Cross Out the Sections that Do Not Apply to You.

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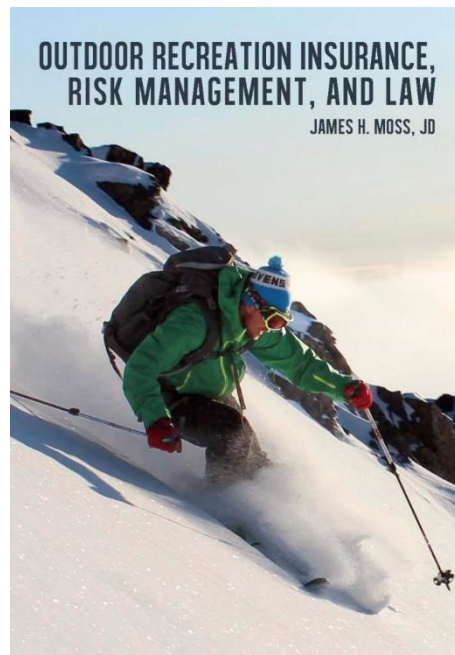
## My Book

# Outdoor Recreation Insurance, Risk Management and Law

<http://summitmagicpublishing.com/book/>

## For Other Types of Releases

<http://summitmagicpublishing.com/legal-documents/>



Zip Line Release	\$499.00
Challenge or Ropes Course Release with a Zip Line	\$499.00
Release for use by Personal Trainers Training for Outdoor Pursuits	\$499.00
Release for Use by Personal Trainer	\$499.00
Guided Class I & II Paddlesports Release	\$499.00
Guided Whitewater Rafting – Multi-Day Trips Release	\$499.00
Guided Whitewater Rafting Release Class III and Above	\$499.00
Mountain Bike Rental or Demo Release	\$499.00
Bicycle Rental Release	\$499.00
Nature Walks or Day Hikes with Staff	\$499.00
Calm Water Canoe, Inflatable, Sit Upon Boat Rentals (Livery) Release	\$499.00
Indoor Climbing Wall Release	\$495.00
US Based Scuba Diving Release	\$495.00
Bicycle Demo Release	\$495.00
Class I & II Paddlesport Release	\$495.00

Please review every section of this form and complete any section that the title may not apply to you, but that is a service, business, or program you may offer. Color blocks indicate sections that are part of the main section.

Upon Receipt of your information a draft release will be sent to you within 2 weeks. If you need your release faster, please let me know when you return this form. Normal processing from receipt of this form to a completed document is thirty (30) days or less.

**Please Write Legibly**  
**General Information**

Your Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Legal Name of Business: \_\_\_\_\_

Name the Business does business as: \_\_\_\_\_

Address & County of the business: \_\_\_\_\_

Legal address of the business \_\_\_\_\_

Address & County of other Locations: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Type of Business:  Sole Proprietorship  Partnership  LLC  Corporation

State Entity/Business is registered in: \_\_\_\_\_

Countries you do Business in: \_\_\_\_\_

Website: \_\_\_\_\_

**Who else has the authority to contact me? (Partners, Officers Managers)**

*Use Additional Sheets of Paper if Necessary*

Name	Title	Email	Phone


### Insurance Information

What is the name of your current Insurance Company? \_\_\_\_\_

What is the name of your insurance agent? \_\_\_\_\_

What is your insurance agent's contract info? Agency Name: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

### Professional Associations

Do you belong to any professional Associations or Trade Associations for your business? If so please list them.

\_\_\_\_\_

\_\_\_\_\_

### Non-Profit Insurance Information

Do you carry Officers & Directors Insurance on your board of directors? \_\_\_\_\_

Is your organization membership based or solely controlled by a board of directors? \_\_\_\_\_

### International/Foreign based Operations

Are you and your spouse US Citizens?  Yes  No

Do you own land or other property or have bank accounts in the US?  Yes  No

Do you own land or other property or have bank accounts in the other countries?  Yes  No

How often and for how long do you come back to the US? \_\_\_\_ days/year.

How often and for how long do you spend outside of the US? \_\_\_\_ days/year.

Do you expect to return to the US permanently at some time in the future?  Yes  No

Will you have guides that speak the languages of all your guests fluently? \_\_\_\_\_

### Volunteers/Staff/Employees First Aid Training

Are your volunteers/staff/employees or independent contractors? \_\_\_\_\_

Do you require any first aid training for your staff/volunteers/employees? \_\_\_\_\_

Is there a state law/regulation that requires your staff/volunteers/employees to have first aid training\_

What is the highest level of first aid training your volunteers/staff/employees has? \_\_\_\_\_

What is the average level of first aid training your volunteers/staff/employees has? \_\_\_\_\_

How far to the nearest physician from your average location? \_\_\_\_\_

How far is the nearest hospital to your location? \_\_\_\_\_

On average, how long have your guides/tour companies been working with you? \_\_\_\_\_

Will you be using celebrity or professional guides on part/part/all your trips? \_\_\_\_\_

### Concessionaires & Permittees General Activities

Do you operate on an NPS Concession Agreement?  US Forest Service Permit?  BLM?

Do you operate under any State, County or Municipal permit or agreement?  Are there any requirements or restrictions on the permit or agreement I should now about?

Are your customers ever under the age of 18 (19 Alabama & Nebraska, 21 Mississippi)

### Outfitters & Guides: Do you have any of the following Activities?

Paddlesports:  Whitewater  Lakes  Oceans  Ropes/Challenge Course

Zip Line  Multi Day Trips (Camping)  Food is cooked by volunteers/staff/employees

Food is cooked by Guests  International trips:  South America  Africa  Asia

Latin America  Antarctica  Arctic

Volunteers/staff/employees required to have first aid training \_\_\_\_\_ Distance in Miles from Nearest Hospital

Do you operate above 8000'  Above 17,500'  Above 20,000'

Do you Sponsor Athletes?  Yes  No

### Event

Do you put on events:  Yes  No

Festivals

Races

Triathlons

Races are sanctioned?

Are your events, contests or races "sanctioned" by any organization? \_\_\_\_\_

If so what organization? \_\_\_\_\_

Are you required to provide certain equipment or run the event in a specific way if the event is "sanctioned?" \_\_\_\_\_

### Do you do/have?

Ultra-Distance Events/Activities

Obstacle Course Events/Activities

- Youth/Summer Camp
- ATV's  Off-Road
- Safari (Classic Definition)
- Work with Equestrians
- Work with Other Animals

- Winter Sports
- Ocean Sports
- Cycling
- Equipment Rental
- Fishing

### Retailers

- Road Bike Demos
- Mountain Bike Demos
- BMX Demos
- Cross Race Demos
- Electric Bike Demos
- Electric Mountain Bike Demos
- Bike Races Road
- Mountain Bike Races

- Downhill Races
- Cross Races
- Bike Contests
- Rentals
- Overnight Rentals
- Group or Shop Rides
- Riding Classes

### Retailers General Activities

- Do you sell your products online to consumers?  Yes  No
- Are your customers ever under the age of 18 (19 Alabama & Nebraska, 21 Mississippi)  Yes  No

### Retailers Do you have any of the following Activities?

- Product Demos to Retailers:  Yes  No
- Product Demos to Consumers:  Yes  No
- Do you do any work on the product after it arrives in the US?  Yes  No
- Do you mount bindings on skis? Are your employees who mount the binding's part of the binding indemnification training program?  Yes  No
- Do you Sponsor Athletes?  Yes  No

### Retailers You put on or sponsor events

- Festivals
- Races
- Triathlons
- Races are sanctioned by some association
- Contests
- Participate in X-Games

### Personal Training/Coaching

Do you work with individuals or groups? \_\_\_\_\_

Do you travel outside of your home state to train? \_\_\_\_\_

Do you have clients outside of your home state? \_\_\_\_\_

Do you have your clients see a physician before working with them? \_\_\_\_\_

Do you collect medical information before working with clients? \_\_\_\_\_

What areas do you train in:       General Fitness    Running    Cycling    Swimming

Mountain Biking    Mountaineering    Rock Climbing

Other Areas you train in: \_\_\_\_\_

Do you work with injured clients? \_\_\_\_\_

Please list any degrees, certificate, or other training you have received? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

What makes your personal training program stand out from the competition? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Winter Sports

Do you work in Cold Temperatures? \_\_\_\_\_

Do you work with or at a Ski Area or Ski Resort? \_\_\_\_\_

Name of the Ski Area or Resort? \_\_\_\_\_

Do you work with kids? \_\_\_\_\_ Age range of the youth? \_\_\_\_\_

If you do not work at a resort, how far are you from the EMS system? \_\_\_\_\_

### Cycling Tours

Do you require prior riding experience? \_\_\_\_\_

Will you be riding with cars on roads? \_\_\_\_\_

Will you be making bike repairs? \_\_\_\_\_

Will you require all riders to have a tail light? \_\_\_\_\_

Will you require the last rider to carry a flag or other visible warning for drivers? \_\_\_\_\_

Will you have a "sweep" or last rider who is an employee or contractor of yours?

\_\_\_\_\_

Will you be in communication with the sweep? \_\_\_\_\_

Will you require the riders to ride together or to arrive at locations at certain times? \_\_\_\_\_

\_\_\_\_\_

Will you require your guests to obey all traffic laws? \_\_\_\_\_

Will you be riding off road?

\_\_\_\_\_ Are your tours \_\_\_ multi-day or \_\_\_ single day tours? If Multi-day tours, average length of tour? \_\_\_\_\_

Will participants ride their own bikes or bikes provided by you? \_\_\_\_\_ Own bikes \_\_\_\_\_ Rent Bikes

Will you be providing tune up or repairs during the tours? \_\_\_\_\_

Will your bike mechanics have experience working on the bikes being used and the conditions being ridden? \_\_\_\_\_

Longest day in miles/kilometers? \_\_\_\_\_ Longest climb in miles/kilometers? \_\_\_\_\_

Longest climb in altitude gain? \_\_\_\_\_ longest descent in miles/kilometers? \_\_\_\_\_

Do you have a program for vehicle maintenance/conditions? \_\_\_\_\_

Do you have a program for your drivers to not scare Americans/customers? \_\_\_\_\_

Will your vehicles be towing trailers? \_\_\_\_\_

Will you/clients be staying in hotels/motels/indoors at night or camping? \_\_\_\_\_

What state(s) will you be leading the tours in? \_\_\_\_\_

Will you be preparing any food for the participants of the tour? \_\_\_\_\_

Will you have a SAG wagon/vehicle? \_\_\_\_\_

What is the minimum number of tour leaders/guides you will have on each trip? \_\_\_\_\_

What is the guide to participant ration you maintain? \_\_\_\_\_

Will the guides be in communication contact with each other? \_\_\_\_\_

Will you provide maps or GPS coordinates to the participants? \_\_\_\_\_

What is the maximum number of participants you will have on a tour? \_\_\_\_\_

What is the minimum age for participants? \_\_\_\_\_



## Camping

Will you be camping at commercial (established) campgrounds? \_\_\_\_\_

Will you be camping at state or federal campgrounds with limited services? \_\_\_\_\_

Will you be camping in areas not normally considered campgrounds? \_\_\_\_\_

Will you be supplying Tents? \_\_\_\_\_

Will you be supplying Sleeping Bags? (and complying with state health codes?) \_\_\_\_\_

What other personal items will you be supplying to your participants? \_\_\_\_\_

## If You Are a Dive Operator/Use Dive Operations

Answer the following if the dive operation is yours or your use a third-party dive operation.

What is the maximum depth that you dive with clients \_\_\_\_\_ ?

Do you do mixed gas dives  Yes  No

Are **all** of your instructors certified by a dive training program:  NAUI  PADI  SSI  SDI  TDI

Are **all** of your dive masters certified by a dive training program:  NAUI  PADI  SSI  SDI  TDI

Do you do wreck diving?  Yes  No Do you do Cave Diving?  Yes  No

Do you do drift boat diving?  Yes  No

How many boats do you operate? \_\_\_\_\_ Are they live aboard boats? \_\_\_\_\_

How far to the nearest recompression chamber? \_\_\_\_\_

How many hours is the trip to the chamber? \_\_\_\_\_

If you are using third-party dive operations are they insured with a US Based insurance company or a foreign company that will offer US insurance? \_\_\_\_\_

Are you listed as an additional insured on their insurance policy? \_\_\_\_\_

## First Aid Instructors/Educators

Will you be teaching an America Red Cross Course with your other classes?  Yes  No

Will you be teaching a Paramedic, EMT-I or IV or EMT intermediate course?  Yes  No

Will you be teaching any course where you will be offering a license by the state or your students can take tests to be licensed by the state?  Yes  No

Will any of your students be under the age of 18?  Yes  No

Will your practicals be outside of a local EMS area?  Yes  No

Will you be using an established curriculum such as WMS?  Yes  No NPS/OEC?  Yes  No

BSA?  Yes  No National Safety Council?  Yes  No

Will you be teaching American Red Cross or American Heart Association CPR classes? \_\_\_\_\_

Will your classes be part of a curriculum at a school, college/university or other program?  Yes  No

Will you be providing first aid services for events?

Festivals

Races

Triathlons

Races are sanctioned?

Contests

Participate in X-Games (or similar)

### Livery Operations

What is the name of the river/ocean you will be operating on? \_\_\_\_\_

What is the river rating of the river you will be operating on? Class \_\_\_\_\_

Will you be allowed to clear strainers, debris and other hazards from the river? \_\_\_\_\_

Does the river have a flood stage? \_\_\_\_\_

Have you identified different river levels to restrict rentals/trips?  Yes  No

Have you worked with the local EMS and law enforcement on rescue issues?  Yes  No

Do you own the land for your put in?  Yes  No Take Out?  Yes  No

Do you lease the land for your put in?  Yes  No Take Out?  Yes  No

Will you be transporting customers to and from your put in or take out?  Yes  No

Will you have any issues with land owners your customers will be canoeing past?  Yes  No

Do you have access to the river for emergencies all along the canoe livery route?  Yes  No

How long are the trips you will offer? \_\_\_\_\_ Miles or \_\_\_\_\_ Hours

Trip 2 \_\_\_\_\_ Miles or \_\_\_\_\_ Hours

Trip 3 \_\_\_\_\_ Miles or \_\_\_\_\_ Hours

What is the speed of the current on the river you will be operating on? \_\_\_\_\_

What type of boats do you offer guests to rent or use?

Wind Surfers  SUP (Stand Up Paddleboats)  Surf Boards  Sit on top Boats

Sailboats  Motorboats  Canoes  Other

## Challenge Course/Ropes Course/Zip Line/Aerial Course

How many stations do you have in use at one time? \_\_\_\_\_

How many volunteers/staff/employees do you have no hand with the minimum number of people on your course? \_\_\_\_\_

What is your volunteers/staff/employees to participant ratio generally? \_\_\_\_\_

How high, in the air, is your course? \_\_\_\_\_

How long is your course? \_\_\_\_\_

What type of belay system do you use? \_\_\_\_\_

\_\_\_\_\_

How often do participants unclip when they are in the air? \_\_\_\_\_

Have you had any injuries other than minor injuries? \_\_\_\_\_

Have you had any litigation concerning the use of your course? \_\_\_\_\_

Who Manufacturer's your harnesses? \_\_\_\_\_

Do you require full body harnesses for minors? \_\_\_\_\_

## Climbing Gym: Indoor/Outdoor

How many routes do you have in use at one time? \_\_\_\_\_

How many volunteers/staff/employees do you have no hand with the minimum number of people on your course? \_\_\_\_\_

What is your volunteers/staff/employees to participant ratio generally? \_\_\_\_\_

How high, is your wall? \_\_\_\_\_

How high is the lead section of your wall? \_\_\_\_\_

What type of belay system do you use? \_\_\_\_\_

\_\_\_\_\_

Will you be using the Petzl GriGri? \_\_\_\_\_

Do you use any auto belay devices? \_\_\_\_\_

What type? \_\_\_\_\_

How often do you check your auto belay devices? \_\_\_\_\_

Have you had any injuries other than minor injuries? \_\_\_\_\_

Have you had any litigation concerning the use of your course? \_\_\_\_\_

Who Manufacturer's your harnesses? \_\_\_\_\_

Do you require full body harnesses for minors? \_\_\_\_\_

Do you have a Bouldering Area? \_\_\_\_\_

How high do you allow people Bouldering to climb? \_\_\_\_\_

Is that height marked on the wall so Climbers can see it while climbing? \_\_\_\_\_

Are all employees, janitors, front desk people, etc., trained in how your system works, harness, tie in, auto belay? \_\_\_\_\_

### Disabled Guests

Do you hold yourself out as an organization specializing in working with disabled guests? \_\_\_\_\_

Do you provide services for other businesses or programs by dealing with their disabled guests? \_\_\_\_\_

What business or programs do you provide this service for? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### Ocean Events

Do you have a minimum age? \_\_\_\_\_

Do you have required safety equipment? \_\_\_\_\_

Do you notify the Coast Guard or other agency in advance of the event? \_\_\_\_\_

### Hiking/Birding/Exploring

On average how far are any hikes from your location/lodge/resort? \_\_\_\_\_

How long are the hikes/trips you offer?  1 km  2 km  3 km  4 km

5 km  7.5 km  10 km  15 km  20 km  Greater than 25 km

What is the elevation gain during one of your hikes?  100 m  300 m  > 1000 m

On these hikes does any volunteers/staff/employees member carry communication equipment? \_\_\_\_\_

On these hikes does any volunteers/staff/employees carry first aid kits? \_\_\_\_\_

Are your guests told to bring specific clothing or equipment or wear specific clothing or equipment?

What? \_\_\_\_\_

\_\_\_\_\_

If the guests do not bring the required clothing or equipment do you provide the required items?

\_\_\_\_\_

What are the chances of your guests encountering plants or animals that can cause problems for them? \_\_\_\_\_

What are the chances your guests could die from encountering a dangerous plant or animal?

\_\_\_\_\_

### **Caving or Underground Tours**

How long are the cave tours? \_\_\_\_\_

How far underground do the tours go? \_\_\_\_\_

Do the tours have ladders to ascend or descend? \_\_\_\_\_

Do the tours require wearing of hard hats/helmets or other protective gear? \_\_\_\_\_

If so, what? \_\_\_\_\_

Are the guests provided with lights or headlamps for the tours? \_\_\_\_\_

If the tour is lit, is there emergency lighting available? \_\_\_\_\_

If there were a medical issue, how difficult will the evacuation be? \_\_\_\_\_

### **Sports Activities/Leagues**

#### **Sports Offered**

Basketball  Baseball  Softball  Volleyball  Football  Flag Football  Tackle Football

Soccer  Dodgeball  Lacrosse  Field Hockey  Capture the Flag  Frisbee  Golf

What other sports do you offer? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you offer Cheerleading training or instruction? \_\_\_\_\_

How high do you allow your cheerleaders to perform? \_\_\_\_\_

Do you allow your cheerleaders to do aerials? \_\_\_\_\_

Do you provide spotters for cheerleader instruction? \_\_\_\_\_

### **Summer Camps**

Kids Sleep in Tents

Kids Sleep in Tents on Platforms

Kids Sleep in Tents on Ground

Kids Sleep on Beds  Kids Sleep on cots  Kids Sleep on Pads   
Meals Prepared in Dining Hall  Meals Prepared by Campers  Combination of both

Camp is how far from EMS \_\_\_\_\_

Camp is how far from closet's hospital \_\_\_\_\_

Do you have a Camp Nurse? \_\_\_\_\_

What is the highest level of First Aid training on your staff? \_\_\_\_\_

### Working with Kids/Minors

Are your customers ever under the age of 18 (19 Alabama & Nebraska, 21 Mississippi)

Please check the Age Group if you work with minors

1-5  5-8  8-10  10-12  12-14  14-16  16-18

What is the ratio of campers to staff for each age group?

1-5 \_\_\_\_\_ 5-8 \_\_\_\_\_ 8-10 \_\_\_\_\_ 10-12 \_\_\_\_\_

12-14 \_\_\_\_\_ 14-16 \_\_\_\_\_ 16-18 \_\_\_\_\_

### Do you offer Field Trips from your site?

Do the locations of the field trips require your customers to sign their release? \_\_\_\_\_

Do you transport your guests or does a third party provide transportation? \_\_\_\_\_

### Yoga Instructions

Will you be leading Yoga indoors or outdoors? \_\_\_\_\_

Will you be doing Yoga outdoors and not on Yoga mats? \_\_\_\_\_

Will you have people with different levels of Yoga experience in one class? \_\_\_\_\_

### Commercial Campgrounds

What type of Hook-Ups do you offer and how many do you have?

Tents Sites \_\_\_\_\_  Hookups with water \_\_\_\_\_  Hookups with Electric \_\_\_\_\_  Hookups with electric & sewer \_\_\_\_\_

Do you have management on site 24 hours a day?  Yes  No

How far is the closet Fire Department? \_\_\_\_\_

How far is the closet fire hydrant? \_\_\_\_\_

How far is EMS (ambulance service)? \_\_\_\_\_

Do you provide any of the following facilities?

Restrooms  Showers  Meeting Room(s)  Game Rooms  Swimming  Swimming Pool   
Lifeguards  Boating  Playgrounds  Water Parks  Miniature Golf  Zip Lines  Ropes  
Courses  Canoeing  Whitewater Rafting  Hot tub(s)  Convenience Store  Laundry  
 Go-Karts  Vehicle Tours  Walking Tours  Hiking Paths  Water Slides  Restaurant(s)  
 Fishing on a Pond  Fishing on river  River access  Dog Park  Boat Rentals  
 Bike Rentals  inflatable kid's structures

What did I miss in the above list? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you offer entertainment, shows, etc.?

Is your Campground part of a larger amusement park or resort? \_\_\_\_\_

Do you offer Cabins, Tents, or other permanent or semi-permanent structures for rent? \_\_\_\_\_

Do you have a group camping site or offer group camping to youth groups? \_\_\_\_\_

Horseback rides or stables?  If so please complete the equestrian section above

What sets your Campground Apart from your competitors? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you book trips or make reservations for third party tours, amusements, etc.? \_\_\_\_\_

If so who? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **Hunting/Shooting Clubs/Indoor & Outdoor Ranges**

Do you require any training before people can use your facilities? \_\_\_\_\_

If so, what training? \_\_\_\_\_

Do you have any restrictions on the weapons allowed at your facility? \_\_\_\_\_

Do you have instructors at your facility? \_\_\_\_\_

What Qualifications must your instructors have? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you employ a Range Master during events or instruction? \_\_\_\_\_

Do you require persons using your facility to follow any special protocol or procedure before, during or after using your facility? \_\_\_\_\_

How far is your facility located from EMS? \_\_\_\_\_

Do you have a trauma first aid kit at your facility? \_\_\_\_\_

Do you have staff or volunteers at the facility trained to use the trauma kit? \_\_\_\_\_

Is your facility associated with any firearms or shooting organizations that offer training, instruction or provide advice on operating your facility? \_\_\_\_\_

### **Pools/Aqua Parks/Water Parks/Non-Natural Water Areas**

What is your average attendance per day? \_\_\_\_\_

How many lifeguards will you have on hand for these days? \_\_\_\_\_

What is your maximum attendance per day? \_\_\_\_\_

How many lifeguards will you have on hand for these days? \_\_\_\_\_

What type of training do you require for your lifeguards?

American Red Cross  American Red Cross, WSI  Boy Scouts of America  YMCA

Guard for Life  American Lifeguard Association  International Lifeguard Training

How long are the lifeguard shifts? \_\_\_\_\_

How long are the breaks for lifeguards between shifts? \_\_\_\_\_

Do your lifeguards carry floatation, rescue devices, etc.? \_\_\_\_\_

What? \_\_\_\_\_

Do your lifeguards have a way to signal a problem? Whistles, radios, etc.? \_\_\_\_\_

What and How? \_\_\_\_\_

\_\_\_\_\_

Do you provide sun protection or sunscreen for your lifeguards? \_\_\_\_\_



How often do you rotate lifeguard positions? \_\_\_\_\_

Are throwables or other rescue devices available for guests to use if they see someone in trouble? \_\_\_\_\_

Do you have AED's onsite? \_\_\_\_\_

Do ALL or some of your employees have training in using the AEDs?  All  Other # \_\_\_\_\_

Are AED's available for use by non-employees? \_\_\_\_\_

Do you advertise that you have AED/s onsite? \_\_\_\_\_

Do you have recitation masks on site? \_\_\_\_\_

Do you have airways on site? \_\_\_\_\_

Do you require PFD's (life jackets) to be worn by any group of people? \_\_\_\_\_

Do you allow patrons to provide their own PFD's? \_\_\_\_\_

Does your facility include moving water? \_\_\_\_\_

Does your facility provide floatation devices/tubes/toys? \_\_\_\_\_

Do you allow patrons to bring their own floatation devices/tubes/toys? \_\_\_\_\_

Do you have a wave/surf machine/pool? \_\_\_\_\_

Do you have restrictions on any of your pools/rides/areas? \_\_\_\_\_

Pool/Ride/Area	Restriction

Do you require infants to wear swim diapers? \_\_\_\_\_

### Concession Stands

Do you sell food? \_\_\_\_\_

Do you prepare food or is all food sold pre-packaged? \_\_\_\_\_

Do you heat food? \_\_\_\_\_

## Playgrounds

Do you offer a playground area? \_\_\_\_\_

Does your playground meet current ASTM/ANSI playground requirements? \_\_\_\_\_

Is your playground inspected  Daily  Weekly  Seasonally?

## Shuttle Vehicles/Services

Do you provide shuttle or ride services as part of your program/business? Examples would be shuttling people back from a take out, shuttling people from their cars to the entrance, etc.?

Are your shuttles on any city, county, state or federal road or highway? \_\_\_\_\_

Are your shuttle vehicles licensed by the state? \_\_\_\_\_

Do your shuttle drivers have driver's licenses? \_\_\_\_\_

Do your shuttle drivers have commercial driver's licenses? \_\_\_\_\_

Do you provide access to your shuttles for disabled guests? \_\_\_\_\_

Do you charge for your shuttle services? \_\_\_\_\_

## Fitness Walking/Hiking//Running/Rollerblading/Wheeled Skiing/Long Boarding with Push Pole

Is the Activity done:      Indoors       Outdoors       Both       Seasonal

Are hiking/ski poles used?      Yes       No

Is there a leader?      Yes Volunteer       Yes Paid       No

Does the leader have first aid training?      No       Yes       What Type: \_\_\_\_\_

Is the course or route the same or different each time?      Different       Same       Varies

Is there a sweep? (Person charged with bringing up the rear?)      Yes       No

Are the courses within EMS range? Meaning does someone have a way to call 911 and can an ambulance get to the scene?      Yes       No

Are participants part of the program because of medical necessity or the orders of a physician, that you are away of?      Yes       No

Are Social Events or Activities part of the program? If so please describe: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Resorts/Ranches/Lodges

How many rooms do you have available? \_\_\_\_\_

How many cabins do you have available? \_\_\_\_\_  
Do you offer food service/meals? \_\_\_\_\_  
Can/Do guests cook in their rooms/cabins? \_\_\_\_\_  
Do you offer swimming? Pool \_\_\_\_\_ Lake \_\_\_\_\_ Do you have Lifeguards? \_\_\_\_\_  
How many months a year do you have Guests on the property? \_\_\_\_\_  
Do you have International Guests? \_\_\_\_\_

### **Animals/Horses/Stables/Trail Rides**

How many horses? \_\_\_\_\_  
Do you offer trail rides? \_\_\_\_\_  
How long is your average trail ride? \_\_\_\_\_  
How long is your longest trail ride? \_\_\_\_\_  
Are you in phone service for the trail rides? \_\_\_\_\_  
What is the farthest the trail ride is from an extraction point? \_\_\_\_\_  
Do you offer horseback lessons? \_\_\_\_\_  
Do you do overnight trips with horses? \_\_\_\_\_  
Do you have ponies? \_\_\_\_\_ Donkeys \_\_\_\_\_ Mules \_\_\_\_\_ Other animals? \_\_\_\_\_  
Do you have any required warning signs posted as per your state law? \_\_\_\_\_

(Most state equine protection acts are 100% perfect. Since passed no horse has been sued.)

### **What have I missed?**

If you have some unique feature or activity at your program/business I have not covered or that is not found at any other facility like yours please describe it here.

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**Remember, courts can change their mind on any day about the validity of a release in their state. If you really do something bad or become someone the court dislikes you can still lose. If you really are a jerk or worse the judge and/or jury will figure out a way to make you pay.**

**Your release should be checked each year to make sure it still meets your needs and the changes in the law.**



## Agreement

### Complete this section after we have agreed on what you need.

I understand that I have hired James H. Moss to create a release for your business based on the information I have supplied above. I understand the fee for this work is **\$2500.00**. The work will include the following:

- Review of your present release (Please attach)
- Creation of a Release(s) for your business
- Information on using the release
- Information on making the release electronic for use online
- Your questions answered concerning the release created
- Any updates needed for one year

Releases should only be written for one activity. If you offer multiple activities with different risks such as whitewater activities and/or a rope course you may need two releases. This agreement only provides you with one release for one activity. If you need more than once release because of the wide variety of activities you provide or for other reasons each successive release will be **\$1000.00**. You will be notified upon receipt of this form on that issue and your money can be refunded if you need two or more releases. Remember!

### Marketing Makes Promises that Risk Management Must Pay For

I understand that if I am in a state other than one that James H. Moss is licensed to practice law I am advised that I should have an attorney licensed in your state review the document.

I understand releases do not work in all states and may not work if the claim is identified as a product liability claim (skiing is an occasional exception). However, the release is written to work as an assumption of risk document also.

I understand the legal work being done will be based on the information I have supplied above.

If please email me and notify me how you are making payment so I can watch for the payment.

Email but not be a secure way to communicate and cause a waiver of the Attorney Client Privilege. If you wish not to communicate by email please let me know.

### Work will commence on receipt of the payment.

Date: \_\_\_\_\_

Company: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

